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LEE, HIGGINSON & Co
New York Boston Chicago

HIGGINSON & CO
London

SELL HOCKING, GATINS'S ORDER

IT WAS THE DAY THE POOL COLLAPSED AND BUYERS TOO.

Dick Bros. & Co., Whom He Sues for Not Executing His Order, Say They Could Not, He Would Have Lost and the Government Might Have Got After Them.

Joseph F. Gatins of 71 Central Park West, who was arrested in connection with the Government's raid against bucket shops, as the alleged backer of William B. Price & Co. of Baltimore, has brought suit to recover \$347,700 from the Stock Exchange firm of Dick Bros. & Co. because the firm didn't carry out his orders as to the sale of Hocking stock on the day the pool collapsed, on January 19. The defendants say in their answer that Gatins was selling short and that if they had carried out his orders he would have lost more money than he says he lost because the company didn't follow instructions and that they would have lain themselves open to discipline by the authorities of the Stock Exchange.

In his complaint Gatins declares that for several years prior to last January he had an open speculative account with Dick Bros. & Co. in which he bought and sold stocks, bonds, cotton, grain and other securities and commodities. On January 19, he says, he was informed that he had 3,400 shares of Hocking stock deposited with the firm, and he gave orders to sell 100 shares at the market and 100 shares more at every point decline. The brokers didn't carry out the orders and he says for the average amount he says he could have got for the 3,400 shares.

In their answer Dick Bros. say that they did tell Gatins he had any Hocking on deposit and that such sales as they might have made were carried out to the reported conclusion of the negotiations for the original order which had to be short sales. At the time they got his order to sell, they say, "the market for said stock had assumed a dangerous and panicky condition," and many other orders to sell came into the office at the same time. The rate at which the market was falling made it inevitable that failures would occur among the firms dealing mainly in stock.

The brokers say they contracted for the sale of 700 shares between 83 and 73. They only 200 were delivered. They advised Gatins to cover himself by re-purchasing. He agreed, and they bought 100 shares for him. They couldn't possibly sell at every point drop, because the market was breaking too fast, they say. "The necessity of protecting the plaintiff warranted and justified the acts of the defendants in making no more short sales of such stock, even without formal notice to the plaintiff," they say.

The defendants say that Gatins's complaint be dismissed and that they have the judgment for \$30,616 against him as the balance due on the stock they bought for him.

Gatins asked Supreme Court Justice Erlanger yesterday to compel the defendants to give him a bill of particulars concerning all the defenses they set up, and in opposition they told the Court that he has been interested in stocks for years and has been connected with a house dealing in securities and commodities. They say he could have learned the truth of most of their defenses by reading the newspaper at the time of the Hocking pool collapse.

The Court ordered the brokers to explain about "the dangerous and panicky condition of the market," their reasons for believing that failures would occur among the firms dealing in Hocking, the necessity for protecting Gatins by making no more short sales and the rules of the Stock Exchange that would have made them guilty of "reckless and culpable dealings" if they had obeyed orders.

IRON AND STEEL TRADE.

Belief Expressed That the Bottom Has Been Reached in Low Prices.

The iron trade newspapers report that apparently the extreme low level of prices has been reached, although they do not expect any immediate rise.

The Iron Age says:

The general feeling is one of mild improvement as to both pig iron and finished material. Sales of pig iron in the East amounted to about 15,000 tons, and double that tonnage is now pending. There is increased interest in Philadelphia and elsewhere in New England and the Great Lakes district.

The iron market is reaching a level at which an increasing number of consumers believe they can safely contract for the year ahead. The iron price recently named in connection with early shipment have been quoted by some producers for delivery throughout the year. Other sellers take the position that blowing out is preferable to large commitments at such prices.

The East had in the buying of foundry iron transactions in the Philadelphia and New York districts and New England amounting to fully 50,000 tons.

Arizona Metals Co. Attached.

Deputy Sheriff Cook has received an attachment against the Arizona Metals Company of 118 Broadway for \$2,300, in favor of Frank Kiernan on a note made on February 24 payable thirty days from date. The corporation was incorporated under Arizona laws about a year ago, with capital stock of \$2,000,000, and United States Senator Dix had a preexisting claim against the company and also on the Winderer Trust Company. Officers of the company and they would put up a bond to-day to discharge the attachment.

Big Four Bonds Taken in Paris.

A despatch from Paris yesterday afternoon stated that Morgan, Harjes & Son had offered \$10,000,000 Big Four Railroad bonds, which had been subscribed for in full. J. P. Morgan, Jr., confirmed the report that a block of Big Four bonds had been sold, but that the amount was \$10,000,000 francs, and not \$10,000,000. This is the first official statement that has come from the French capital concerning any of the large reported sales to have been negotiated there by American railroads this month.

Mckern a Brooklyn City R. R. Director.

James McKeon, general counsel for the Mutual Life Insurance Company, has been elected a director of the Brooklyn City Railroad Company, a subsidiary of the B. R. T. Co., to fill the vacancy caused by the recent resignation of David G. Leggett. The Mutual Life Insurance Company owns \$1,200,000 of the stock of the Brooklyn Railroad Company.

The Wall Street Evening Sun.

Gossip of Wall Street.

Among developments of the year, which are anticipated by pessimists and relied upon by Wall Street bears to bring them profits, two that have been as much talked of as any others are a collapse of the boom in rubber shares in London and a collapse of the speculation in land and irrigation companies in the West. Pessimists have insisted that one of the principal reasons why London was obliged to draw money from this country and the Continent was that British speculators and investors had put up very large amounts in rubber shares, which, say the pessimists, are greatly inflated in value. Similarly in the West, they say, the banks report a greater expansion of loans than ever before for the principal reason that their customers have gone heavily into land and irrigation schemes. Neither the numerous new rubber companies nor the numerous new irrigation companies will become producers of wealth for many months, and in some cases for many years, and the argument is that an immense amount of capital has been put into concerns that will not soon become productive.

In the London market this week the fortnightly open sale of crude rubber was not at all successful, many offerings being withdrawn for lack of bids and sales being made at prices far below those prevailing a month ago. The rubber shares in London have been weak in consequence.

This week also it has become known that a Western irrigation company has passed a payment on its bonds. Wherefore yesterday the men who have been predicting a collapse in the speculation in rubber and in irrigation companies pointed to London and pointed to Colorado. The rubber speculation is already "tethering," they said, and the default of that irrigation company is the first of many sure to come before the year is out. Many traders sold stocks confidently to the accompaniment of these cheerful utterances.

It was not noticeable that any particular attention was paid by speculators to the reported conclusion of the negotiations for the Canton-Hankow loan, though these negotiations are vastly more important than any other pending matter of business. It is not for the banking profit involved that bankers and their agents are encircling the globe for the purpose of securing an equal participation in the loan of this country, but for the broad, patriotic purpose of opening a market for this country's manufactures. China proposes to spend hundreds of millions in railroad construction in the next few years, and equal participation in its railroad loans means equal participation in sales to China of rails, locomotives, cars and other materials necessary to the construction and equipment. The negotiations represent an effort greatly to increase our trade with the Far East, and if as reported they have terminated successfully which they have overlocked, the market may see a favorable development.

The brokers say that they did tell Gatins that such sales as they might have made were carried out to the reported conclusion of the negotiations for the Canton-Hankow loan, though these negotiations are vastly more important than any other pending matter of business.

They say, "The necessity of protecting the plaintiff warranted and justified the acts of the defendants in making no more short sales of such stock, even without formal notice to the plaintiff," they say.

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Arrived Wednesday, May 25.

Says Brokers Kept Stock.

Sued for Money Put Up on Alleged False Representations.

A jury before Supreme Court Justice Rogers brought in a verdict for \$20,000 yesterday in a suit of the Allen-Kingston Motor Company against William O. Allison, president of the National Reserve Bank; Elverton B. Chapman, president of the Hudson Trust Company, and Thomas A. Lewis, cashier and director of the National Reserve Bank. The Consolidated National Bank was originally a party defendant, but the Court dismissed the complaint as against the bank.

The suit was based on alleged false representations made by the defendants to the effect that the New York Car and Truck Company was a solvent company and that the plaintiff company agreed to take a large order of cars and put up a deposit of \$20,000 to cover the order, the deposit being made with the Consolidated National Bank in the shape of advances to the car company. Shortly afterward a petition in bankruptcy was filed against the New York Car and Truck Company at the instance of the Consolidated National, of which Allison was then president. Lewis vice-president and Chapman director. Evidence was introduced to show that the New York Car and Truck Company was not solvent and that the firm was insolvent to the defendants when the plaintiff company put up its deposit.

The plaintiff sued for about \$48,000 representing the advances made and possible profits, but the Court eliminated the profits.

FISH TRUST INDICTED.

San Francisco Producers Charged With Boosting Prices.

MINISTER ALMANAC THIS DAY.

Sun rises. 4:35 Sun sets. 7:16 Moon rises. 9:35

HIGH WATER THIS DAY.

Sandy Hook 8:35 Gov. Island 8:37 Hell Gate 10:30

ARRIVED YESTERDAY.

SAILING FROM FOREIGN PORTS.

Se Kaiser Wilhelm II. for New York from Cherbourg.

Se Teutonic for New York from Southampton.

OUTGOING STEAMERS.

Sail To Day.

Mails

Cables

Steam

Arrived Out.

Se Oceanic at Southampton from New York.

Se La Provence at Havre from New York.

Se Orizaba at New York from Mexico.

Se Minerva at Antwerp from New York.

Se Koening Albert at Gibraltar from New York.

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